

United States Courts  
Southern District of Texas  
FILED

UNITED STATES DISTRICT COURT *November 06, 2020*

SOUTHERN DISTRICT OF TEXAS David J. Bradley, Clerk of Court

HOUSTON DIVISION

DISH NETWORK L.L.C.,  
Plaintiff

Civil Action No. 4:20-cv-01678

Vs.

YAHYA ALGHAFIR, TEXAS  
COMMUNICATION & TECHNOLOGY  
LLC, SHENZHEN JIEMAO TECHNOLOGY  
CO., LTD. and SHENZHEN STREET CAT  
TECHNOLOGY CO., LTD., individually and  
together d/b/a Super Arab IPTV,  
Defendants.

**Defendant SHENZHEN JIEMAO TECHNOLOGY CO., LTD.'S**

**Motion to Dismiss with Prejudice**

Defendant SHENZHEN JIEMAO TECHNOLOGY CO., LTD hereby file this Motion to Dismiss with Prejudice, and would say that:

1. Our Company SHENZHEN JIEMAO TECHNOLOGY CO., LTD is not registered in the USA nether has any business or deals with the USA Defendant YAHYA ALGHAFIR, TEXAS COMMUNICATION & TECHNOLOGY LLC,. Therefore the court does have jurisdiction over our company.
2. The Plaintiff did not really serve the Complaint to the main producer and manufacture of the SUPER ARAB IPTV the Defendant SHENZHEN STREET CAT TECHNOLOGY CO., LTD.

We tried to communicate with the defendant SHENZHEN STREET CAT TECHNOLOGY CO., LTD. Through the email that Plaintiff used to serve them the Complaint but their email is not working and not valid. We received a bounced email stated that “Your message couldn't be delivered. It appears that the email address you sent your message to wasn't found at the destination domain, or the recipient's mailbox is unavailable”. Attached as Exhibit 1 is a true and correct copy.

3. We have informed Plaintiff more than three years ago that we have stopped selling all the SUPER ARAB IPTV devices. Then after three years the Plaintiff filled the Complaint. Attached as Exhibit 2 is a true and correct copy of our last email to the plaintiff from August 30, 2017
4. We have repeatedly explained to the Plaintiff that we do not own the server or any of the broadcasting platforms. We were only rebranding and reselling the IPTV devices.
5. After receiving the Plaintiff email three years ago, we disabled and canceled the website registration for domain name www.iptvarab.com. In addition, we informed our customers that we will not be able to resell any SUPER ARAB IPTV devices.
6. The Plaintiff complaint is legally insufficient and does not have the appropriate grounds for the following points.
7. The channels listed in the Plaintiff complaint are FREE to Air and there are no restrictions for the distribution or rebroadcasting for any of the channels.
8. The plaintiff does not own the copyright of the channel listed.
9. The Plaintiff did not provide any copyright documents.

10. The plaintiff did not provide any legal documents or evidence to establish the relation and the connection with the owner of the channels listed in the complaint.

11. The Plaintiff does not represent the owner of the channels in the complaint.


Wherefore the Defendant pray that the Court will order the dismissal of the Complaint With Prejudice against SHENZHEN JIEMAO TECHNOLOGY CO., LTD.

- A true and correct copy of this Defendants' Motion to Dismiss with Prejudice has been sent by email to the Plaintiff attorney Stephen Ferguson at [stephen.ferguson@hnbllc.com](mailto:stephen.ferguson@hnbllc.com) on November 04, 2020. Attached as **Exhibit 3.**

Nov. 04. 2020

Defendant,

SHENZHEN JIEMAO TECHNOLOGY CO., LTD.

Ze Wang, 

[superarabiptv@hotmail.com](mailto:superarabiptv@hotmail.com)

Room 505, Dongbian Building, Minzhi Street,  
Longhua New District, Shenzhen City,  
Guangdong Province, China

# EXHIBIT 1

## Undeliverable: Dish network complaint against Super Arab iptv

Microsoft Outlook <postmaster@outlook.com>

Fri 2020-10-30 12:56 AM

To: szstreetcat <szstreetcat@foxmail.com>

1 attachments (25 KB)

Dish network complaint against Super Arab iptv;

### newxmmxszb83.qq.com rejected your message to the following email addresses:

[szstreetcat \(szstreetcat@foxmail.com\)](mailto:szstreetcat@foxmail.com)

Your message couldn't be delivered. It appears that the email address you sent your message to wasn't found at the destination domain, or the recipient's mailbox is unavailable. The email address might be misspelled or it might not exist. Try to fix the problem by doing one or more of the following:

- **Send the message again.** Before you do, delete and retype the complete address. If your email program automatically suggests an address to use don't select it.
- **Clear the recipient Auto-Complete List entry** in your email program by following the steps in [this article](#). Then resend the message, but before you do, delete and retype the complete address. If your email program suggests an address to use don't select it.
- **Contact the recipient by some other means** (by phone, for example) to confirm you're using the right address. Ask them if they've set up an email forwarding rule that could be forwarding your message to an incorrect address.

If you're still unable to fix the problem, ask the recipient to tell their email admin about the problem, and give them the server that reported the error below.

### For Email Admins

When Office 365 tried to send the message, the external email server returned the error below. This error was reported by an email server outside Office 365, and if the sender is unable to fix the problem by correcting the recipient's email address or clearing the Auto-Complete List entry, then it's likely a problem that only the recipient's email admin can fix.

- **Check the error for information about where the problem is happening.** For example, look for a domain name. The domain name will tell you which organization was responsible for the error. The recipient's email server could be causing the problem, or it could be due to a third-party service that your organization or the recipient's organization is using to process or filter email messages.
- **If you can't fix the problem, contact the responsible party's email admin.** This could be the recipient's email admin, your smart host service admin, or someone similar. Give them the error and the name of the server that reported the error to help them troubleshoot the issue.

Unfortunately, Office 365 support is unlikely to be able to help with these kinds of externally reported errors.

newxmmxszb83.qq.com gave this error:

Remote server returned unknown recipient or mailbox unavailable -> 550 Mailbox unavailable or access denied

[MNCJv8/GQJC8G7d3a0t0TOL97X8WiwnWPacqz0IMWoyXpoK3eCO4oaXZjzEaDFCROg== IP: 40.92.21.92].

### Diagnostic information for administrators:

Generating server: MW2NAM12HT136.mail.protection.outlook.com

szstreetcat@foxmail.com

newxmmxszb83.qq.com

Remote Server returned '550 5.1.351 Remote server returned unknown recipient or mailbox unavailable -> 550 Mailbox unavailable or access denied

[MNCJv8/GQJC8G7d3a0t0TOL97X8WiwnWPacqz0IMWoyXpoK3eCO4oaXZjzEaDFCROg== IP: 40.92.21.92].'

Original message headers:

ARC-Seal: i=1; a=rsa-sha256; s=arcselector9901; d=microsoft.com; cv=none;

b=QrdXxFNCNc8Tqo8Bq5NeZYckdFGHLi8noRuIBz0od5R01R91wScb/nawtgmruucikX1WeAAnuoZvEBg+Wt5Q611K+wHLRi/dOnEy dYSLzNEsWzpmUwWzqNfZy5j2X7c52qGtKbFUbDdqSYbu9vTl+YkFjcGeUwgj5WSL+gniqwsjqtKAA6kf0QyKRhcJCP6KDwfExjeVJQ gHEGxa3YChYUxMmf1NyCsyPTvz+nWEDkq10k0CrEJepUyIORPmEX/rp9WUByU7NPP8ugH73P85y7uIIgiY8j1mSc9xP+N071Tdo9bw 8kS44VVWmd8hH42PcusN+f9QM0zUBdLn2GwBtA==

ARC-Message-Signature: i=1; a=rsa-sha256; c=relaxed/relaxed; d=microsoft.com;

s=arcselector9901;

h=From:Date:Subject:Message-ID:Content-Type:MIME-Version:X-MS-Exchange-SenderADCheck;

bh=TDwVW9z0cfIHASrkFoi1KnVY1C+JX9ftYp494FBg6vo=;

b=dsoZj0s1ZKJ3opAW4MWvvsP2GQdiqir7ZZ1DSaBlC+rTVjgANPJrykcLDmaHKPMoiRlrzp2k/gzgXzUJa2hU5Uz0A0uc5pmhiEOH 0tyH1VpmGy2Cu9kguAM3zgX8HzjAEE9K9e3s1Y5nerhnOVqOnfs0k00VM/LBMNk/IWMk+gowQCCCV8d4LH5G6x9c8j971I7opGyC6m 4ZxEx1Mt4675omFNnnQ3RjGv9wikD51fnkOP/aJWVh5+WwL0W6B32RZGVm5vX3UiKR3nDnvi/w2vWNTp34k6MnEHY2HKMycyQNmtGn UqROL1FYATbqLsnrir+atwMaBAm5vp32LmwP/g==

ARC-Authentication-Results: i=1; mx.microsoft.com 1; spf=none; dmarc=none;

dkim=none; arc=none

DKIM-Signature: v=1; a=rsa-sha256; c=relaxed/relaxed; d=hotmail.com;

s=selector1;

h=From:Date:Subject:Message-ID:Content-Type:MIME-Version:X-MS-Exchange-SenderADCheck;

bh=TDwVW9z0cfIHASrkFoi1KnVY1C+JX9ftYp494FBg6vo=;

b=u/H13kU+6WydviY927hmakt6vqfL5UwkJ4xGxsPv0/yVQoaVDFe6rJwH3sa9xBME571LlteK79dLgkZqcLTICW6xPo1k1cnXDV1b t1d2n7G6Kp/TROqNZRDPBRLkPwXggHPiThq4d0fGaFitvIbU/TMBjuE8icij+Fviov2bhaiov152R+iShfYbYbtG7ldmJ1LmvyZrD 5oM3X4NW0fkktD0qxI6veb08I1C10CfR5Jfa6SrxTt6L+wVvmf9z1JtXUA3Psa0KT9T0CrvOk/CEAA6zsYG6yhIMot4odUg4/pA01X u/6R/eNvpXGZFmoNqJxxz/F3/pGzs49Bjm9GJg==

Received: from MW2NAM12FT042.eop-nam12.prod.protection.outlook.com

(2a01:111:e400:fc65::42) by

MW2NAM12HT136.eop-nam12.prod.protection.outlook.com (2a01:111:e400:fc65::422)

with Microsoft SMTP Server (version=TLS1\_2,

cipher=TLS\_ECDHE\_RSA\_WITH\_AES\_256\_GCM\_SHA384) id 15.20.3520.9; Fri, 30 Oct 2020 03:56:09 +0000

Received: from SN6PR07MB4336.namprd07.prod.outlook.com

(2a01:111:e400:fc65::44) by MW2NAM12FT042.mail.protection.outlook.com

(2a01:111:e400:fc65::237) with Microsoft SMTP Server (version=TLS1\_2,

cipher=TLS\_ECDHE\_RSA\_WITH\_AES\_256\_GCM\_SHA384) id 15.20.3541.7 via Frontend

Transport; Fri, 30 Oct 2020 03:56:09 +0000

X-IncomingTopHeaderMarker:  
 OriginalChecksum:ECB352E89C2C72C0786B7BFA0DCB7326F755895344BCE78AE676C3F0E1EBB9ED;UpperCasedChecksum:95F29A5F563BDBEAB2042040579034F00EE86FE6BF6F003613FD0279E81B68B;SizeAsReceived:8529;Count:47  
 Received: from SN6PR07MB4336.namprd07.prod.outlook.com  
 ([fe80::7455:5c1f:87ca:7aaa]) by SN6PR07MB4336.namprd07.prod.outlook.com  
 ([fe80::7455:5c1f:87ca:7aaa%7]) with mapi id 15.20.3499.018; Fri, 30 Oct 2020  
 03:56:09 +0000  
 X-GUID: 962B5EB0-2FF8-3DBD-7430-66EB66CF2D0E  
 From: "=?utf-8?B?c3VwZXJhcmFiaXB0dkBob3RtYWlsLmNvbQ==?<superarabiptv@hotmail.com>  
 To: "=?utf-8?B?c3pzdHJlZXRjYXQ=?<szstreetcat@foxmail.com>  
 Subject: Dish network complaint against Super Arab iptv  
 Content-Type: text/html;  
 charset="utf-8"  
 Content-Transfer-Encoding: base64  
 Date: Fri, 30 Oct 2020 11:56:02 +0800  
 Message-ID: <SN6PR07MB4336CFC4A399F170D3C52E14A5150@SN6PR07MB4336.namprd07.prod.outlook.com>  
 X-QQ-MIME: TCMime 1.0 by Tencent  
 X-Mailer: QQMail 2.x  
 X-QQ-Mailer: QQMail 2.x  
 X-TMN: [1XJJH7lrRn4Sd9h3+xaH0v0+2M1EtmgI]  
 X-ClientProxiedBy: HK2PR0401CA0008.apcprd04.prod.outlook.com  
 (2603:1096:202:2::18) To SN6PR07MB4336.namprd07.prod.outlook.com  
 (2603:10b6:805:56::13)  
 Return-Path: superarabiptv@hotmail.com  
 X-Microsoft-Original-Message-ID: <tencent\_E693131A4D1249DEDD06CCBE@qq.com>  
 MIME-Version: 1.0  
 X-MS-Exchange-MessageSentRepresentingType: 1  
 Received: from Your-iPhone (203.205.250.33) by HK2PR0401CA0008.apcprd04.prod.outlook.com  
 (2603:1096:202:2::18) with Microsoft SMTP Server (version=TLS1\_2,  
 cipher=TLS\_ECDHE\_RSA\_WITH\_AES\_256\_GCM\_SHA384) id 15.20.3499.19 via Frontend Transport; Fri, 30 Oct  
 2020 03:56:06 +0000  
 X-MS-PublicTrafficType: Email  
 X-IncomingHeaderCount: 47  
 X-EOPAttributedMessage: 0  
 X-MS-Office365-Filtering-Correlation-Id: 69572855-40b4-4ef4-1f02-08d87c87bb1f  
 X-MS-TrafficTypeDiagnostic: MW2NAM12HT136:  
 X-Microsoft-Antispam: BCL:0;  
 X-Microsoft-Antispam-Message-Info:  
  
 ZvcGk970fqDasCNkseFI6MkKDQsZwbTEXKd9wbAXbVKn1S01Ugv55mgQD+xDomGAs5rAvh0AAI17FBbX96WsDj1XWH/+7PYwJ4Geo  
 YBv8reCDWhZ6ShwNq/0uIo4Pqi2ScNdpYGEpt7q5gizoF8ZNGa5ymnAk8gA1UsFXlB090VYCGbUjUtNor40C0j2IkXatzgwpCil2Rn  
 Dv4MJAEvIA==  
 X-MS-Exchange-AntiSpam-MessageData:  
  
 RvDaAlF5zm99ZPkEGsbidNW8E1gZJ4EDRludFw9+FQvK4+WlUFRk4Sjk/mClDpa+3LJZ2phEnXjvoXFoxnMK2cKSYF+8s2UcjYIgp  
 /vkX5EEaNB1QnurK5cjMw++TyN+1VGfSbUDV1BX2zaPmjnrng==  
 X-OriginatorOrg: hotmail.com  
 X-MS-Exchange-CrossTenant-Network-Message-Id: 69572855-40b4-4ef4-1f02-08d87c87bb1f  
 X-MS-Exchange-CrossTenant-OriginalArrivalTime: 30 Oct 2020 03:56:09.5701  
 (UTC)  
 X-MS-Exchange-CrossTenant-FromEntityHeader: Hosted  
 X-MS-Exchange-CrossTenant-Id: 84df9e7f-e9f6-40af-b435-aaaaaaaaaaaa  
 X-MS-Exchange-CrossTenant-AuthSource:  
 MW2NAM12FT042.eop-nam12.prod.protection.outlook.com  
 X-MS-Exchange-CrossTenant-AuthAs: Anonymous  
 X-MS-Exchange-CrossTenant-FromEntityHeader: Internet  
 X-MS-Exchange-CrossTenant-RMS-PersistedConsumerOrg:  
 00000000-0000-0000-0000-000000000000  
 X-MS-Exchange-Transport-CrossTenantHeadersStamped: MW2NAM12HT136

# EXHIBIT 2



**Re: Fifth Notice of Copyright Infringement (Super Arab IPTV - IBCAP, DISH)**

Ze Wang <superarabiptv@hotmail.com>

Wed 2017-08-30 6:53 AM

**To:** Stephen Ferguson <Stephen.Ferguson@hnbllc.com>; szstreetcat@foxmail.com <szstreetcat@foxmail.com>; mikeluna1@live.com <mikeluna1@live.com>; a.mhd@syrianlaw.com <a.mhd@syrianlaw.com>; malghafir@hotmail.com <malghafir@hotmail.com>

Dear Stephen M. Ferguson

Thank you for contacting us,

I previously replied to your email from May and I explain to you, we do not own the server or any of the broadcasting establishment. We were only rebranding and reselling the IPTV devices.

After receiving your email, we disabled the website [www.iptvarab.com](http://www.iptvarab.com).

In addition, we informed our customers in USA that we will not be able to resell any devices to USA.

I also provided you with vendor contact information witch you are already now and you included in your email.

Sincerely,

Ze Wang

Shenzhen Jiemao Technology Co.,Ltd

Room 505, Dongbian Building, Minzhi Street, Longhua New District, Shenzhen City, Guangdong Province, China

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**From:** Stephen Ferguson <Stephen.Ferguson@hnbllc.com>

**Sent:** August 29, 2017 12:15:29 PM

**To:** szstreetcat@foxmail.com; Superarabiptv@hotmail.com; mikeluna1@live.com; a.mhd@syrianlaw.com; malghafir@hotmail.com

**Subject:** Fifth Notice of Copyright Infringement (Super Arab IPTV - IBCAP, DISH)

See the attached letters notifying you of continuing copyright infringement and again demanding that you remove certain streams from your service. The streams identified in these letters (listed below) violate the distribution rights of our clients. Please confirm your receipt of these letters and contact me at (713) 343-0478 if you wish to discuss.

Al Arabiya – News

Al Hayat 1 – Drama

Al Jadeed (New TV) – General

Al Jazeera Arabic News – News

Al Nahar – Drama

Al Nahar Drama – Drama

Al Nahar Sport – Sports

Iqraa – Religion

LBC – General

MBC 1 – Drama

MBC 2 – Drama

MBC 4 – Drama

MBC Action – Drama  
MBC Bollywood – Drama  
MBC Kids (MBC 3) – Drama  
MBC Masr – Drama  
MBC Masr 2 – Drama  
MBC Max – Drama  
Melody Drama – Drama  
Murr TV (MTV Lebanon) – General  
NBN – General  
Noursat – Religion  
OTV – General

LDC – General

Best Regards,

Stephen M. Ferguson  
Hagan Noll & Boyle LLC  
Two Memorial City Plaza  
820 Gessner, Suite 940  
Houston, TX 77024  
713.343.0478 T (ext. 102)  
713.758.0146 F  
[www.hnblc.com](http://www.hnblc.com)

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# EXHIBIT 3

DISH Network L.L.C. v. Shenzhen Jiema Technology Co., Ltd. et al.; United States District Court S.D. Tex., No. 4:20-cv-01678

Ze Wang <superarabiptv@hotmail.com>

Wed 2020-11-04 7:19 AM

To: stephen.ferguson@hnbllc.com <stephen.ferguson@hnbllc.com>

3 attachments (1 MB)

Exhibit 1.pdf; Exhibit 2.pdf; Motion to Dismiss with Prejudice.pdf;

Dear Stephen Ferguson,  
Please find attached copies of the Motion to Dismiss with Prejudice.

Best Regards,

SHENZHEN JIEMAO TECHNOLOGY CO., LTD.

Ze Wang,

superarabiptv@hotmail.com

Room 505, Dongbian Building, Minzhi Street,

Longhua New District, Shenzhen City,

Guangdong Province, China